

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 13651

PERMIT 7967

LICENSE 6338

ORDER CORRECTING THE DESCRIPTION TO
POINT OF DIVERSION

WHEREAS:

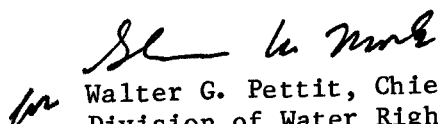
1. License 6338 was issues to Ervin E. Vassar, Lucy G. Vassar and Ida S. Vaughn and recorded with the County Recorder of Yolo County in Volume 641, Page 594 on July 7, 1981.
2. License 6338 was subsequently assigned to William C. Payne, Rosalie M. Payne, William Carroll Payne and Ashley Payne Ranch, Inc.
3. An office examination was made of water right License 6338 on August 25, 1988 and it was determined the description for the point of diversion (POD) should be corrected to correspond with the description identified for POD #2 under License 6111 (Application 13650). The location for the POD under License 6338 is the same location as the POD #2 is under License 6111.
4. The USGS 7.5' Quadrangle map - Clarksburg, photorevised in 1980 shows the location of the POD for License 6338 as being located with the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of projected Section 34, T7N, R6E, MDB&M.
5. The State Water Resources Control Board has determined that said correction for the description of the POD will not initiate a new right nor operate to the injury of any other lawful user of water and that good and sufficient cause has been shown for said correction.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The point of diversion under License 6338 be described as follows:

North eighty-nine degrees thirty-two minutes seventeen seconds east (N89°32'17"E), four thousand nine hundred seventeen and forty-two hundreths (4917.42) feet from SW corner of projected Section 34, T7N, R3E, MDB&M, being within the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said projected Section 34, also described as California Coordinates, Zone 2, N 267,700 and E 2,108,900.

Dated: **OCTOBER 06 1988**


Walter G. Pettit, Chief
Division of Water Rights

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

Application 13651 Permit 7967 License 6338

ORDER DIRECTING DIVISION OF LICENSE,
ISSUANCE OF SEPARATE LICENSES, AND
REVOCATION OF THE ORIGINAL LICENSE

WHEREAS:

1. License 6338 was issued to Ervin E. Vassar, Lucy G. Vasser and Ida S. Vaughn and recorded with the County Recorder of Yolo County in Volume 641, Page 594 on July 7, 1961.
2. License 6338 was subsequently assigned to the Western Farm Credit Bank and the Ashley Payne Ranch, Inc. on January 14, 1993.
3. A request for issuance of separate licenses to cover the respective interest in License 6338 has been filed with the State Water Resources Control Board (SWRCB).
4. The SWRCB has determined that such division of the license and issuance of separate licenses does not constitute the initiation of a new right nor operate to the injury of any other legal user of water.
5. The license condition pertaining to the continuing authority of the SWRCB should be updated to the current common law public trust doctrine as contained in Title 23, California Code of Regulations, Section 780(a).

NOW, THEREFORE, IT IS ORDERED THAT:

1. License 6338 be replaced by License 6338A issued to Western Farm Bank, A Corporation and by License 6338B issued to Ashley Payne Ranch, Inc.
2. Superseded License 6338 is hereby revoked upon issuance of License 6338A and License 6338B.
3. Separate licenses be issued as follows:

License: 6338A (Application 13651A)

Owner: Western Farm Credit Bank, A Corporation
 P.O. Box 13189
 Sacramento, CA 95813-3189

Source: Borrow Pit of West Levee of Reclamation District No.
 999 tributary to Prospect Slough thence Sacramento
 River in Yolo County

Use: Irrigation

Amount: Seven and seven-tenths (7.7) cubic feet per second

Season: April 15 to October 15

Point of
Diversion: North eighty-nine degrees thirty-two minutes seventeen seconds east (N89°32'17"E), four thousand nine hundred seventeen and forty-two hundredths (4,917.42) feet from SW corner of projected Section 34, T7N, R3E, MDB&M, being within the SE¼ of SE¼ of said projected Section 34, also described as California Coordinate, Zone 2, N 267,700 and E 2,108,900.

Place of
Use: 850 acres total, as shown on map filed with the SWRCB.

210 acres within W½ of Section 4, T6N, R3E, MDB&M
640 acres within Section 5, T6N, R3E, MDB&M

License: 6338B (Application 13651B)

Owner: Ashley Payne Ranch, Inc.
c/o W. Ashley Payne
P.O. Box 1813
Woodland, CA 95695

Source: Borrow Pit of West Levee of Reclamation District No. 999 tributary to Prospect Slough thence Sacramento River in Yolo County

Use: Irrigation

Amount: Seven and seven-tenths (7.7) cubic feet per second

Season: April 15 to October 15

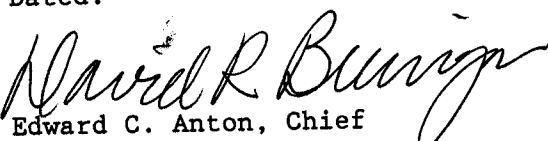
Point of
Diversion: North eighty-nine degrees thirty-two minutes seventeen seconds east (N89°32'17"E), four thousand nine hundred seventeen and forty-two hundredths (4,917.42) feet from SW corner of projected Section 34, T7N, R3E, MDB&M, being within the SE¼ of SE¼ of said projected Section 34, also described as California Coordinate System, Zone 2, N 267,700 and E 2,108,900.

Place of
Use: 800 acres total, as shown on map filed with the State Water Resources Control Board.

480 acres within Section 32, T7N, R3E, MDB&M
320 acres within W½ of Section 33, T7N, R3E, MDB&M

4. Licenses 6338A and 6338B shall contain all other terms and conditions presently in License 6338 or updated terms to reflect present SWRCB policy including replacing the SWRCB's continuing authority term as contained in Title 23, California Code of Regulations, Section 780(a).

Dated: JULY 13 1994

for 
Edward C. Anton, Chief
Division of Water Rights

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STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 13651

PERMIT 7967

LICENSE 6338

THIS IS TO CERTIFY, That

Ervin E. Vassar, Lucy G. Vassar, & Ida S. Vaughn
P. O. Box 515
Dixon, California

Notice of Assignment (over)

have made proof as of May 16, 1960,
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
Borrow-Pit of West Levee of Reclamation District No. 999 in Yolo County
tributary to Prospect Slough thence Sacramento River

for the purpose of irrigation use
under Permit 7967 of the State Water Rights Board and that said right to the use of said water has been
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the
terms of the said permit; that the priority of the right herein confirmed dates from March 24, 1950,
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed fifteen and four-tenths
(15.4) cubic feet per second to be diverted from about April 15 to about October 15
of each year.

The equivalent of such continuous flow allowance for any thirty-day period may be
diverted in a shorter time if there be no interference with other vested rights.

The point of diversion of such water is located:

North eighty-nine degrees thirty-two minutes seventeen seconds east (N 89° 32'
17" E) four thousand nine hundred seventeen and forty-two hundredths (4917.42)
feet from NW corner of Section 3, T6N, R3E, MDB&M, being within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of
said Section 3.

A description of the lands or the place where such water is put to beneficial use is as follows:

480 acres within Section 32, T7N, R3E, MDB&M.
320 acres within Section 33, T7N, R3E, MDB&M.
210 acres within Section 4, T6N, R3E, MDB&M.
640 acres within Section 5, T6N, R3E, MDB&M.
1650 acres total all as shown on map filed with State Water Rights Board.

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

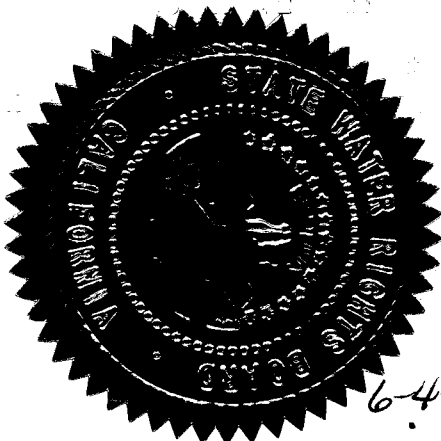
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JUL 6 1961



L. K. Hill
L. K. Hill
Executive Officer

10-25-66 RECEIVED NOTICE OF ASSIGNMENT *of date of L. S. Vaughn, E. & L. S. Vassar to George A. Pope, Jr.*

6-4-80 Asgd to Carol L + Brenda Payne
5-27-82 Asgd to William C Payne, Rosalie M. Payne, William Carroll Payne + Ashley Payne Ranch, Inc
1-19-93 Corrected to show owner as Ashley Payne Ranch, Inc Western Farm Credit Bank, a Corp;

LICENSE 6338

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Ervin E. Vassar, Lucy G. Vassar & Ida S. Vaughn

DATED JUL 6 1961